

CR-16-246-HSG

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2252(a)(4)(B) and (b)(2) - Possession of Child
 Pornography; 18 U.S.C. §§ 2253 - Criminal Forfeiture

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See Attached

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

FILED

JUN 10 2016

DEFENDANT - U.S.

ARNOLD FISCHMAN

SUSAN Y. SOONG
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

DISTRICT COURT NUMBER

CR16-00246 HSG

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Dept. of Homeland Security, Homeland Security Investigation

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW
DOCKET NO.

☐ this prosecution relates to a
 pending case involving this same
 defendant

MAGISTRATE
CASE NO.

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form BRIAN J. STRETCH

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

THOMAS R. GREEN, AUSA

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior
 summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
 If answer to (6) is "Yes", show name of institution

Has detainer ☐ Yes
 been filed? ☐ No

If "Yes"
 give date
 filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

C/O Gail Shifman, Attorney for Defendant

423 Washington St., Suite 600, San Francisco, CA 94111

Date/Time: June 16, 2016 at 9:30am Before Judge: Kandis A. Westmore

Comments:

* Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

PENALTY

18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography:

If Visual Depictions Do Not Involve Pre-Pubescent Minor:

Maximum Imprisonment:	10 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Mandatory Supervise Release:	5 years
Special Assessment:	\$100

If Visual Depictions Do Involve Pre-Pubescent Minor:

Maximum Imprisonment:	20 years
Maximum Fine:	\$250,000
Maximum Supervise Release:	Life
Mandatory Supervise Release:	5 years
Special Assessment:	\$100

INFORMATION

1 or masochistic conduct or other depictions of violence, in violation of Title 18, United State Code,
2 Sections 2252(a)(4)(B) and (b)(2).

3 FORFEITURE ALLEGATION: (18 U.S.C. § 2253 – Criminal Forfeiture)

4 2. The allegations contained in paragraph one are hereby realleged and incorporated by
5 reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253.

6 3. Upon conviction of the offense in violation of Title 18, United States Code, Section
7 2252(a)(4)(B), the defendant,

8 ARNOLD FISCHMAN,

9 shall forfeit to the United States:

- 10 a. Any visual depiction described in Title 18, United States Code, Sections 2251,
11 2251A, and 2252, or any book, magazine, periodical, film, videotape, or other matter
12 which contains any such visual depiction, which was produced, transported, mailed,
13 shipped, and received in violation of Title 18, United States Code, Chapter 110;
14 b. Any property, real or personal, constituting or traceable to gross profits or other
15 proceeds obtained from the offenses;
16 c. Any property, real or personal, used or intended to be used to commit or to promote
17 the commission of the offenses

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INFORMATION

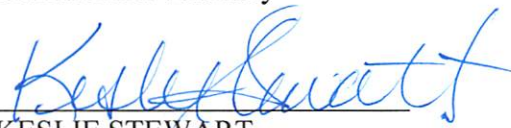
1 4. The property to be forfeited was seized from defendant's home on or about January 8,
2 2015, and includes, but is not limited to:

- 3 a. One Dell Dimension 4300, bearing serial number GT6K511;
4 b. One Dell Inspiron 530, bearing serial number 9TJJHG1;
5 c. One Dell Studio laptop, bearing serial number BYPF0P1;
6 d. One Seagate Hard Drive, bearing serial number NA0H4N29;
7 e. One Nook I.T.E., bearing serial number E332971;
8 f. One Samsung Credo Mobile Cellular Telephone; and
9 g. One Samsung Galaxy S IV.

10 All in violation of 18 U.S.C. §§ 2253(a)(1) and (a)(3).
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14 DATED: June 9, 2016
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16 BRIAN J. STRETCH
17 United States Attorney

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19 KESLIE STEWART
20 Chief, Oakland Branch Criminal Division

21 (Approved as to form: )
22 AUSA GREEN
23 Assistant United States Attorney
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INFORMATION